

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICK HAIG PRODUCTIONS, E.K.,)	
)	
Plaintiff,)	
)	
v.)	No. 3:10-cv-01900-N
)	
DOES 1-670,)	
Defendants.)	

AFFIDAVIT OF PAUL ALAN LEVY

1. My name is Paul Alan Levy. I am one of the attorneys appointed by the Court to serve as attorney ad litem for the Doe defendants.

2. On January 22, 2011, I received an email from an individual who reported having received a notice from Comcast telling him that his Internet access account had been identified as one of those that were allegedly used in connection with the downloading of plaintiff's movie.

3. I subsequently spoke with him, obtained a copy of the notice that this individual had received from Comcast, and satisfied myself that he was, in fact, one of my Doe clients in the case. A copy of the letter is attached as Exhibit 1

4. This Doe told me that he and his wife had learned about the allegation of their involvement with plaintiff's movie for the first time when she opened the notice of subpoena that Comcast had sent them. He told me that he had never seen or been involved with any of plaintiff's "junk," but that they were "terrified" about the prospect of being publicly but falsely accused of having any such involvement.

5. Later I was contacted by other individuals, or lawyers from other individuals, who had also received notice of subpoena from either Comcast or Verizon.

6. I contacted a lawyer for Comcast and obtained a copy of the subpoena that Comcast

received from Mr. Stone, along with a cover letter. Mr. Stone's letter and attachments to Comcast are attached as Exhibit 2.

7. I tried to reach Mr. Stone to find out whether he had sent similar subpoenas to other ISP's, whether he had spoken with any of my clients, and whether he had obtained any money from any of my clients. I tried to reach Mr. Stone using both email and the telephone. I was unable to speak with him, and he neither called back nor responded to my emails.

8. Normally, calls to Mr. Stone's office reach a recording. On one occasion, a woman from Mr.. Stone's office returned my call, identifying herself as Mr. Stone's assistant. I asked to speak to Mr. Stone himself, in part because she was not identified on the docket as being counsel for plaintiff, indeed, Mr, Stone's web site does not indicate that there are any other lawyers in his office. Moreover, I believed that it was Mr. Stone himself who would have the information I wanted, and who could be able to negotiate about a resolution of our concerns. However, she refused to let me speak to Mr. Stone.

9. On January 26, 2011, I sent Mr. Stone a letter, a copy of which is attached as Exhibit 3.

10. Two days later, Mr. Stone dismissed this action with prejudice.

11. I continued to try to reach Mr. Stone, both by telephone and by email, to ask for answers to the questions I had posed in Exhibit 3. I have still not received any such answers.

12. The only response that I received to these efforts to reach Mr. Stone was an email that he sent me on January 29, 2011. A copy of that email is attached as Exhibit 4.

13. I attached as Exhibit 5 a Notice of Subpoena from Verizon sent to me by one of the Does.

Pursuant to 28 U.S.C. § 1746, I hereby certify under penalty of perjury that the foregoing is true and correct. Executed on February 11, 2011.

/s/ Paul Alan Levy



NE&TO
650 Centerton Road
Moorestown, NJ 08057
866-947-8572 Tel
866-947-5587 Fax

January 19, 2011

Personal and Confidential

Re: *Mick Haig Productions, e.K. v. Does 1-670*
United States District Court for the Northern District of Texas
Docket No.: 3:10-cv-01900-N
Order Entered: October 21, 2010
Comcast File #: 208315

Dear

Mick Haig Productions, e.K. filed a lawsuit in the United States District Court for the Northern District of Texas. You have been identified via your assigned Internet Protocol address in this lawsuit for allegedly infringing Mick Haig Productions, e.K.'s copyrights on the Internet by uploading and/or downloading a movie using a computer assigned the Internet Protocol address 24.218.183.18 on 8/03/2010 16:41 GMT. The Court has ordered Comcast to supply your name and address and other information to Mick Haig Productions, e.K. in the lawsuit referenced above and in the accompanying Subpoena, which is attached. Your case has been assigned Docket Number 3:10cv-01900-N by the Court. If you have any questions about the lawsuit, you should consult an attorney immediately. Comcast cannot and will not provide any legal advice.

Comcast will provide your name and address and other information as directed in the Order unless you or your attorney file a motion to quash or vacate the Subpoena no later than February 9, 2011. If you make this filing, you must notify Comcast in writing with a copy of the filing by sending it via fax to **866-947-5587** no later than February 9, 2011. If you do not file a motion to quash or vacate the Subpoena by this date, or if you fail to notify Comcast of your filing by this date, Comcast will provide your name and address and other information as directed in the Order to the Plaintiff.

If you have any questions, you may contact us at **(866) 947-8572**.

Sincerely yours,

Comcast Legal Response Center

Attachments: Copy of Court Order and accompanying Subpoena regarding civil action

Levy Affidavit
Exhibit 1

AO 88 (Rev. 12/06) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

Texas

Mick Haig Productions, e.K.

SUBPOENA IN A CIVIL CASE

V.

DOES 1 - 670

Case Number:¹ 3:10-cv-01900-N

TO: Comcast Legal Compliance
650 Centerton Road
Moorestown, NJ 08057
Fax: 866-947-5587

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Information, including name, addresses, telephone numbers, e-mail address and Media Control Addresses, sufficient to identify and contact all persons whose IP addresses are included in the attached spreadsheet. Note that I am happy to provide this list in whatever format is most convenient for you.

PLACE Evan Stone, Esq.
624 W. University Dr., #386, Denton, TX 76201

DATE AND TIME
12/23/2010

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

E. Stone

Counsel for Plaintiff

10/22/10

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Evan Stone,
624. W. University Dr., #386, Denton, TX 76201

lawoffice@wolfe-stone.com
469-248-5238

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

Doe 112	24.14.198.40	6/21/2010 20:33	BitTorrent 6.4.0
Doe 113	24.15.96.140	9/18/2010 08:00	uTorrent 2.0.4.0
Doe 114	24.16.18.78	7/21/2010 09:49	uTorrent 1.8.4.0
Doe 122	24.17.175.95	7/02/2010 07:51	uTorrent 1.8.5.0
Doe 129	24.18.132.157	9/10/2010 11:03	BitTorrent 6.4.0
Doe 130	24.18.135.174	7/29/2010 09:38	uTorrent 2.0.2.0
Doe 131	24.18.4.97	7/06/2010 23:54	uTorrent 2.0.2.0
Doe 132	24.18.76.156	5/30/2010 20:18	Azureus 4.4.0.4
Doe 135	24.2.106.163	6/17/2010 17:53	Azureus 2.4.0.0
Doe 136	24.2.67.102	6/02/2010 11:57	BitTorrent 6.4.0
Doe 137	24.20.16.118	6/12/2010 06:29	Transmission 1.9.3.X
Doe 138	24.20.39.118	7/27/2010 06:38	BitTorrent 6.4.0
Doe 143	24.21.170.136	6/10/2010 20:17	uTorrent 2.0.2.0
Doe 144	24.21.26.86	8/08/2010 22:32	Azureus 4.4.0.4
Doe 146	24.218.183.18	8/03/2010 16:41	uTorrent 2.0.2.0
Doe 147	24.22.20.17	6/12/2010 02:25	uTorrent 2.0.2.0
Doe 148	24.22.31.3	6/21/2010 03:35	BitTorrent 6.4.0
Doe 149	24.22.64.218	8/23/2010 05:23	Transmission 1.9.3.0
Doe 153	24.245.60.87	6/01/2010 14:21	BitTorrent 6.3.0
Doe 155	24.30.107.179	6/30/2010 22:07	BitTorrent 6.4.0
Doe 158	24.6.165.165	6/02/2010 19:06	uTorrent 2.0.2.0
Doe 159	24.60.107.79	5/30/2010 13:45	uTorrent 2.0.2.0
Doe 160	24.60.126.32	5/30/2010 23:40	BitTorrent 6.4.0
Doe 161	24.61.253.53	6/23/2010 14:56	BitTorrent 6.4.0
Doe 162	24.63.105.143	6/01/2010 11:10	uTorrent 2.0.2.0
Doe 164	24.8.248.228	8/25/2010 19:41	BitTorrent 6.4.0
Doe 165	24.8.9.211	5/30/2010 20:44	BitTorrent 6.3.0
Doe 167	24.99.96.254	6/14/2010 20:37	Azureus 4.4.0.4
Doe 178	65.34.174.17	6/10/2010 23:20	BitTorrent 6.4.0
Doe 179	65.96.156.129	5/31/2010 22:18	Azureus 4.4.0.4
Doe 182	66.177.130.21	8/11/2010 02:20	Azureus 4.4.0.4
Doe 183	66.177.14.46	7/29/2010 08:03	uTorrent 2.0.2.0
Doe 184	66.177.233.6	7/13/2010 02:28	BitTorrent 6.4.0
Doe 189	66.229.154.78	8/17/2010 16:18	Azureus 4.5.0.2
Doe 191	66.30.63.231	6/11/2010 20:24	Azureus 4.4.0.4
Doe 192	66.31.101.160	7/04/2010 21:03	Azureus 4.4.0.4
Doe 193	66.31.27.197	7/10/2010 08:52	Azureus 4.4.0.4
Doe 194	66.41.111.33	7/11/2010 00:22	Azureus 4.4.0.6
Doe 195	66.41.209.25	6/20/2010 07:55	BitTorrent 6.2.0
Doe 196	66.41.246.223	7/12/2010 11:27	Azureus 4.4.0.4
Doe 210	67.160.167.126	7/10/2010 23:26	uTorrent 2.0.2.0
Doe 211	67.160.172.50	7/03/2010 07:05	uTorrent 2.0.2.0
Doe 212	67.160.195.143	7/16/2010 16:12	BitTorrent 6.4.0
Doe 213	67.161.175.38	6/11/2010 05:45	uTorrent 2.0.2.0
Doe 214	67.161.92.231	6/01/2010 09:25	uTorrent 2.0.2.0
Doe 215	67.162.184.242	6/16/2010 18:21	BitTorrent 6.4.0
Doe 216	67.166.89.228	9/15/2010 05:41	BitComet 0.1.1.8
Doe 217	67.169.195.124	6/19/2010 15:44	BitTorrent 6.4.0

Fax sent by :
10/22/10 05:33PM CDT 310/561201 -> 88894/555/

COMCAST LRC

10-25-10 11:47

Pg: 10/10

Pg 10/10

Case 3:10-cv-01900-N Document 3 Filed 10/21/10 Page 1 of 22 PageID 35

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICK HAIG PRODUCTIONS, E.K.,

Plaintiff,

v.

DOES 1-670,

Defendants.

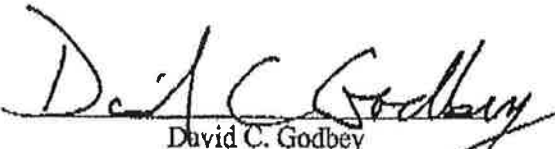
§
§
§
§
§
§
§
§
§

Civil Action No. 3:10-CV-1900-N

ORDER

This Order addresses matters related to Mick Haig Productions, E.K.'s, ("Mick Haig") motion for leave to take discovery prior to Rule 26(f) conference (the "Discovery Motion") [2]. The Court orders the internet service providers ("ISPs") listed in Exhibit A to this Order to preserve existing activity records for each Internet Protocol ("IP") address listed in Exhibit B to this Order pending resolution of the Discovery Motion. The ISPs are required to retain activity records only for the specific date and time logged for each IP address, and then only to the extent necessary to identify each Doe defendant's name, address, telephone number, e-mail address, and Media Access Control address. Plaintiff Mick Haig is directed to serve a copy of this Order on each affected ISP. The ISPs have thirty (30) days from the date of this Order to respond to the Discovery Motion, if they desire to do so.

Signed October 21, 2010.


David C. Godbey
United States District Judge



THE LAW OFFICES OF EVAN STONE

624 W. University Dr., #386 ~ Denton, TX 76201
lawoffice@wolfe-stone.com ~ 469-248-5238

Comcast Legal Compliance
650 Centerton Road
Moorestown, NJ 08057
Fax: 866-947-5587

RE: Civil Subpoena, case no. 3:10-cv-01900-N

Custodian of Records,

Attached is a civil subpoena requesting the production of records regarding customers who used your internet service for the unauthorized reproduction and distribution of my client's copyrighted motion picture.

Also attached is a signed Order from the U.S. Federal Court for the Northern District of Texas regarding discovery and preservation of records in this matter.

Please notify me immediately if this list can be sent in a more convenient format.

Regards,

A handwritten signature in black ink that reads "E. F. Stone". The signature is written in a cursive, flowing style.

Evan Stone, Esq.
Counsel for Plaintiff,
Lucas Entertainment, Inc.
469-248-5238
lawoffice@wolfe-stone.com

Levy Affidavit
Exhibit 2

§AO88 (Rev. 12/06) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

Texas

Mick Haig Productions, e.K.

SUBPOENA IN A CIVIL CASE

V.

DOES 1 - 670

Case Number:¹ 3:10-cv-01900-N

TO: Comcast Legal Compliance
 650 Centerton Road
 Moorestown, NJ 08057
 Fax: 866-947-5587

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Information, including name, addresses, telephone numbers, e-mail address and Media Control Addresses, sufficient to identify and contact all persons whose IP addresses are included in the attached spreadsheet. Note that I am happy to provide this list in whatever format is most convenient for you.

PLACE Evan Stone, Esq.
 624 W. University Dr., #386, Denton, TX 76201

DATE AND TIME

12/23/2010

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

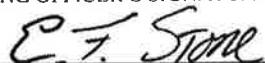
PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Counsel for Plaintiff

10/22/10

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Evan Stone,
624. W. University Dr., #386, Denton, TX 76201

lawoffice@wolfe-stone.com
469-248-5238

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

List of Does

Defendant	Host IP	Date/Time (GMT)	Software
Doe 50	174.48.95.138	8/20/2010 22:39	BitTornado 0.3.H
Doe 51	174.49.190.72	5/30/2010 12:48	BitTorrent 6.4.0
Doe 52	174.49.232.118	8/05/2010 02:39	BitTorrent 6.4.0
Doe 53	174.49.60.79	7/17/2010 08:13	µTorrent 2.0.2.0
Doe 54	174.51.26.133	6/21/2010 06:15	qBittorrent 2.2.5.0
Doe 55	174.51.34.192	6/26/2010 04:25	BitTorrent 6.3.0
Doe 56	174.52.165.250	7/28/2010 17:51	BitTorrent 6.4.0
Doe 57	174.52.249.111	9/20/2010 16:15	Azureus 4.5.0.2
Doe 58	174.52.64.66	6/03/2010 00:20	µTorrent 2.0.2.0
Doe 59	174.52.81.239	6/06/2010 20:10	BitTorrent 6.4.0
Doe 60	174.53.130.214	6/02/2010 01:19	µTorrent 2.0.2.0
Doe 61	174.54.110.59	7/29/2010 09:08	libtorrent 0.E.0.0
Doe 62	174.55.185.156	9/20/2010 00:35	BitTorrent 7.0.0
Doe 63	174.55.190.148	9/20/2010 23:51	BitTorrent 7.0.0
Doe 64	174.55.234.230	6/17/2010 20:53	BitTorrent 6.0.2
Doe 65	174.57.219.173	6/02/2010 23:01	µTorrent 2.0.1.0
Doe 66	174.58.203.233	5/30/2010 16:22	µTorrent 2.0.2.0
Doe 67	174.59.180.14	6/21/2010 23:40	Unknown client
Doe 68	174.59.47.223	5/31/2010 03:51	Azureus 4.4.0.4
Doe 86	24.0.230.189	5/30/2010 18:23	µTorrent 2.0.2.0
Doe 87	24.0.52.215	9/14/2010 20:46	µTorrent 2.0.4.0
Doe 88	24.1.250.251	8/14/2010 00:31	BitTorrent 6.4.0
Doe 89	24.1.31.123	7/07/2010 22:25	µTorrent 1.8.4.0
Doe 90	24.1.7.155	8/31/2010 00:10	BitTorrent 6.4.0
Doe 91	24.10.105.101	7/31/2010 18:48	BitTorrent 6.4.0
Doe 92	24.10.93.40	8/22/2010 19:24	Azureus 4.5.0.2
Doe 93	24.11.132.113	7/21/2010 20:23	µTorrent 2.0.2.0
Doe 94	24.118.162.141	8/23/2010 23:57	DelugeTorrent 1.2.2.0
Doe 95	24.118.29.88	7/20/2010 03:24	µTorrent 2.0.2.0
Doe 96	24.12.158.152	6/27/2010 12:42	µTorrent 1.8.5.0
Doe 97	24.12.200.201	6/22/2010 11:35	µTorrent 1.8.2.0
Doe 98	24.12.96.197	7/04/2010 06:35	µTorrent 2.0.2.0
Doe 99	24.125.160.59	7/09/2010 01:48	µTorrent 2.0.2.0
Doe 100	24.127.238.232	6/18/2010 01:52	µTorrent 2.0.2.0
Doe 101	24.127.24.183	6/12/2010 15:17	µTorrent 2.0.2.0
Doe 102	24.127.86.99	6/24/2010 17:36	BitTorrent 6.3.0
Doe 103	24.128.153.58	7/28/2010 12:38	Azureus 4.4.0.6
Doe 104	24.128.155.188	8/10/2010 02:58	Azureus 4.4.0.6
Doe 105	24.129.26.2	6/21/2010 17:13	µTorrent 2.0.2.0
Doe 106	24.13.1.92	6/28/2010 18:57	BitTorrent 6.4.0
Doe 107	24.13.86.102	7/03/2010 18:17	µTorrent 2.0.2.0
Doe 108	24.130.49.39	7/18/2010 18:51	Unknown client
Doe 109	24.131.93.146	6/28/2010 14:20	µTorrent 2.0.0.0
Doe 110	24.131.94.216	7/28/2010 22:55	µTorrent 2.0.0.0
Doe 111	24.14.151.137	6/23/2010 17:01	BitTorrent 6.1.2

Doe 112	24.14.198.40	6/21/2010 20:33	BitTorrent 6.4.0
Doe 113	24.15.96.140	9/18/2010 08:00	µTorrent 2.0.4.0
Doe 114	24.16.18.78	7/21/2010 09:49	µTorrent 1.8.4.0
Doe 122	24.17.175.95	7/02/2010 07:51	µTorrent 1.8.5.0
Doe 129	24.18.132.157	9/10/2010 11:03	BitTorrent 6.4.0
Doe 130	24.18.135.174	7/29/2010 09:38	µTorrent 2.0.2.0
Doe 131	24.18.4.97	7/06/2010 23:54	µTorrent 2.0.2.0
Doe 132	24.18.76.156	5/30/2010 20:18	Azureus 4.4.0.4
Doe 135	24.2.106.163	6/17/2010 17:53	Azureus 2.4.0.0
Doe 136	24.2.67.102	6/02/2010 11:57	BitTorrent 6.4.0
Doe 137	24.20.16.118	6/12/2010 06:29	Transmission 1.9.3.X
Doe 138	24.20.39.118	7/27/2010 06:38	BitTorrent 6.4.0
Doe 143	24.21.170.136	6/10/2010 20:17	µTorrent 2.0.2.0
Doe 144	24.21.26.86	8/08/2010 22:32	Azureus 4.4.0.4
Doe 146	24.218.183.18	8/03/2010 16:41	µTorrent 2.0.2.0
Doe 147	24.22.20.17	6/12/2010 02:25	µTorrent 2.0.2.0
Doe 148	24.22.31.3	6/21/2010 03:35	BitTorrent 6.4.0
Doe 149	24.22.64.218	8/23/2010 05:23	Transmission 1.9.3.0
Doe 153	24.245.60.87	6/01/2010 14:21	BitTorrent 6.3.0
Doe 155	24.30.107.179	6/30/2010 22:07	BitTorrent 6.4.0
Doe 158	24.6.165.165	6/02/2010 19:06	µTorrent 2.0.2.0
Doe 159	24.60.107.79	5/30/2010 13:45	µTorrent 2.0.2.0
Doe 160	24.60.126.32	5/30/2010 23:40	BitTorrent 6.4.0
Doe 161	24.61.253.53	6/23/2010 14:56	BitTorrent 6.4.0
Doe 162	24.63.105.143	6/01/2010 11:10	µTorrent 2.0.2.0
Doe 164	24.8.248.228	8/25/2010 19:41	BitTorrent 6.4.0
Doe 165	24.8.9.211	5/30/2010 20:44	BitTorrent 6.3.0
Doe 167	24.99.96.254	6/14/2010 20:37	Azureus 4.4.0.4
Doe 178	65.34.174.17	6/10/2010 23:20	BitTorrent 6.4.0
Doe 179	65.96.156.129	5/31/2010 22:18	Azureus 4.4.0.4
Doe 182	66.177.130.21	8/11/2010 02:20	Azureus 4.4.0.4
Doe 183	66.177.14.46	7/29/2010 08:03	µTorrent 2.0.2.0
Doe 184	66.177.233.6	7/13/2010 02:28	BitTorrent 6.4.0
Doe 189	66.229.154.78	8/17/2010 16:18	Azureus 4.5.0.2
Doe 191	66.30.63.231	6/11/2010 20:24	Azureus 4.4.0.4
Doe 192	66.31.101.160	7/04/2010 21:03	Azureus 4.4.0.4
Doe 193	66.31.27.197	7/10/2010 08:52	Azureus 4.4.0.4
Doe 194	66.41.111.33	7/11/2010 00:22	Azureus 4.4.0.6
Doe 195	66.41.209.25	6/20/2010 07:55	BitTorrent 6.2.0
Doe 196	66.41.246.223	7/12/2010 11:27	Azureus 4.4.0.4
Doe 210	67.160.167.126	7/10/2010 23:26	µTorrent 2.0.2.0
Doe 211	67.160.172.50	7/03/2010 07:05	µTorrent 2.0.2.0
Doe 212	67.160.195.143	7/16/2010 16:12	BitTorrent 6.4.0
Doe 213	67.161.175.38	6/11/2010 05:45	µTorrent 2.0.2.0
Doe 214	67.161.92.231	6/01/2010 09:25	µTorrent 2.0.2.0
Doe 215	67.162.184.242	6/16/2010 18:21	BitTorrent 6.4.0
Doe 216	67.166.89.228	9/15/2010 05:41	BitComet 0.1.1.8
Doe 217	67.169.195.124	6/19/2010 15:44	BitTorrent 6.4.0

Doe 218	67.171.10.26	8/19/2010 02:12	BitTorrent 7.0.0
Doe 219	67.171.139.47	7/16/2010 18:46	Azureus 4.4.0.6
Doe 220	67.171.38.176	6/17/2010 22:01	µTorrent 2.0.2.0
Doe 221	67.173.41.124	5/30/2010 12:44	Azureus 4.4.0.4
Doe 222	67.175.37.191	7/03/2010 10:21	Azureus 4.4.0.4
Doe 223	67.176.101.199	5/30/2010 15:39	libtorrent 0.E.0.0
Doe 224	67.177.105.233	8/14/2010 02:26	BitTorrent 6.4.0
Doe 225	67.181.22.240	6/04/2010 19:10	Azureus 4.4.0.4
Doe 226	67.182.231.231	7/12/2010 00:42	BitTorrent 6.4.0
Doe 227	67.183.117.222	6/02/2010 15:45	µTorrent 2.0.2.0
Doe 228	67.183.137.198	7/26/2010 05:14	µTorrent 1.8.5.0
Doe 229	67.183.222.213	7/16/2010 20:27	BitTorrent 6.4.0
Doe 230	67.183.225.113	7/26/2010 17:27	µTorrent 2.0.2.0
Doe 231	67.183.240.152	8/11/2010 13:06	µTorrent 2.0.2.0
Doe 232	67.184.124.235	9/02/2010 03:20	Azureus 4.5.0.2
Doe 233	67.184.193.186	8/04/2010 22:55	µTorrent 2.0.2.0
Doe 234	67.185.118.253	7/15/2010 06:25	µTorrent 2.0.2.0
Doe 235	67.185.129.127	7/30/2010 05:06	BitTorrent 6.4.0
Doe 236	67.185.131.71	6/14/2010 17:44	µTorrent 2.0.2.0
Doe 237	67.188.216.137	8/24/2010 04:13	Azureus 4.5.0.2
Doe 238	67.188.68.21	6/05/2010 05:23	µTorrent 2.0.2.0
Doe 272	68.33.154.17	6/09/2010 15:49	BitTorrent 6.4.0
Doe 273	68.34.157.38	7/07/2010 23:32	Azureus 4.4.0.4
Doe 274	68.36.178.70	6/07/2010 22:14	Azureus 4.4.0.4
Doe 275	68.38.40.200	6/19/2010 15:27	Azureus 4.4.0.6
Doe 276	68.39.86.237	6/09/2010 23:53	µTorrent 2.0.2.0
Doe 278	68.40.142.22	5/30/2010 10:31	libtorrent 0.E.0.0
Doe 279	68.40.148.25	7/13/2010 03:24	µTorrent 2.0.2.0
Doe 280	68.40.208.127	6/11/2010 04:41	µTorrent 2.0.2.0
Doe 281	68.41.70.170	6/03/2010 08:37	Azureus 4.4.0.4
Doe 282	68.43.57.228	9/05/2010 11:03	µTorrent 2.0.4.0
Doe 283	68.46.70.100	7/10/2010 20:50	Azureus 4.4.0.0
Doe 284	68.47.88.100	8/24/2010 16:20	Azureus 4.5.0.2
Doe 285	68.48.110.154	5/30/2010 16:59	BitTorrent 6.4.0
Doe 286	68.48.33.168	8/05/2010 12:37	µTorrent 2.0.2.0
Doe 287	68.52.234.114	6/27/2010 04:58	µTorrent 2.0.2.0
Doe 288	68.53.153.160	5/31/2010 03:13	Azureus 4.4.0.4
Doe 289	68.53.247.143	8/30/2010 16:51	Azureus 4.5.0.2
Doe 290	68.54.105.203	7/03/2010 05:32	BitTorrent 6.4.0
Doe 291	68.54.156.37	7/12/2010 06:14	BitTorrent 6.4.0
Doe 292	68.55.178.6	8/14/2010 02:38	µTorrent 2.0.2.0
Doe 293	68.58.240.118	6/27/2010 01:35	Azureus 4.4.0.4
Doe 294	68.58.85.42	5/31/2010 05:18	libtorrent 0.E.0.0
Doe 295	68.62.243.37	8/14/2010 15:26	µTorrent 2.0.2.0
Doe 297	68.80.106.29	7/15/2010 23:32	µTorrent 1.8.4.0
Doe 299	69.136.150.43	7/27/2010 12:07	BitTorrent 6.4.0
Doe 300	69.136.35.99	6/12/2010 21:53	BitTorrent 6.4.0
Doe 301	69.139.228.131	6/07/2010 22:13	BitTorrent 6.4.0

Doe 304	69.141.49.75	7/18/2010 18:11	Azureus 4.4.0.4
Doe 305	69.141.66.136	5/31/2010 02:39	Azureus 4.4.0.4
Doe 308	69.181.252.143	7/29/2010 18:12	µTorrent 2.0.3.0
Doe 311	69.242.193.11	8/02/2010 23:34	Unknown client
Doe 312	69.243.176.100	8/01/2010 22:36	µTorrent 1.8.4.0
Doe 313	69.244.186.221	8/11/2010 04:10	Unknown client
Doe 314	69.244.188.252	6/11/2010 00:58	µTorrent 2.0.0.0
Doe 315	69.244.220.207	6/13/2010 22:28	Azureus 4.4.0.4
Doe 316	69.244.238.22	6/28/2010 04:27	Azureus 4.4.0.4
Doe 317	69.245.78.108	6/26/2010 08:11	µTorrent 2.0.2.0
Doe 318	69.246.175.175	6/12/2010 20:54	µTorrent 2.0.1.0
Doe 319	69.247.11.224	6/01/2010 14:17	µTorrent 2.0.2.0
Doe 320	69.255.164.169	7/07/2010 19:04	BitTorrent 6.4.0
Doe 354	71.192.234.246	6/09/2010 07:18	µTorrent 2.0.1.0
Doe 355	71.192.99.223	6/26/2010 16:06	Azureus 4.4.0.4
Doe 356	71.193.41.6	6/18/2010 13:27	BitTorrent 6.4.0
Doe 357	71.194.191.243	8/11/2010 12:18	µTorrent 2.0.2.0
Doe 358	71.196.220.99	7/01/2010 02:03	Enhanced CTorrent 0.3.0.3
Doe 359	71.197.59.92	6/01/2010 07:58	libtorrent 0.E.0.0
Doe 360	71.200.40.117	6/09/2010 09:18	Azureus 4.4.0.4
Doe 361	71.204.214.241	8/09/2010 22:37	Azureus 4.4.0.4
Doe 362	71.206.121.5	6/14/2010 23:49	BitTorrent 6.4.0
Doe 363	71.207.33.98	8/27/2010 19:17	µTorrent 2.0.4.0
Doe 366	71.226.31.66	6/13/2010 15:03	Azureus 4.4.0.4
Doe 367	71.227.100.192	5/31/2010 06:00	Xtorrent 1.1.5.3
Doe 368	71.228.124.38	6/20/2010 19:01	Azureus 4.4.0.4
Doe 369	71.229.19.239	9/11/2010 23:00	µTorrent 2.0.2.0
Doe 370	71.233.106.111	6/20/2010 11:47	µTorrent 2.0.3.B
Doe 371	71.237.12.59	6/19/2010 04:18	Azureus 4.4.0.4
Doe 372	71.237.154.224	6/11/2010 04:37	µTorrent 2.0.2.0
Doe 373	71.237.89.32	8/09/2010 04:02	Transmission 1.7.5.0
Doe 374	71.238.9.128	6/05/2010 14:20	µTorrent 2.0.2.0
Doe 375	71.239.179.16	6/05/2010 16:33	Azureus 4.4.0.4
Doe 376	71.239.248.82	7/10/2010 23:32	BitTorrent 6.4.0
Doe 379	71.56.129.158	9/04/2010 11:45	Azureus 4.5.0.2
Doe 380	71.61.74.112	9/20/2010 11:23	µTorrent 2.0.2.0
Doe 381	71.62.222.116	5/30/2010 14:02	BitTorrent 6.4.0
Doe 382	71.62.29.96	8/03/2010 01:20	Azureus 4.4.0.4
Doe 466	75.65.17.72	6/09/2010 11:30	Azureus 4.4.0.4
Doe 467	75.68.52.36	6/13/2010 15:47	µTorrent 2.0.2.0
Doe 468	75.70.42.117	7/24/2010 16:15	µTorrent 2.0.2.0
Doe 469	75.71.105.195	7/05/2010 02:48	BitTorrent 6.4.0
Doe 470	75.71.126.22	7/16/2010 14:21	Azureus 4.4.0.6
Doe 471	75.72.134.147	5/31/2010 02:32	µTorrent 2.0.2.0
Doe 472	75.73.182.129	8/31/2010 08:51	BitTorrent 7.0.0
Doe 473	75.74.116.8	6/10/2010 17:39	BitTorrent 6.4.0
Doe 475	76.100.18.59	6/10/2010 04:15	Azureus 4.4.0.4
Doe 476	76.100.24.56	7/17/2010 20:52	Azureus 4.4.0.6

Doe 477	76.104.191.187	6/12/2010 19:07	µTorrent 2.0.0.0
Doe 478	76.104.229.33	7/15/2010 08:34	µTorrent 1.8.5.0
Doe 479	76.105.238.11	6/01/2010 18:05	µTorrent 1.9.0.B
Doe 480	76.106.196.57	8/18/2010 21:53	µTorrent 2.0.2.0
Doe 481	76.106.239.171	7/15/2010 02:26	Azureus 4.4.0.4
Doe 482	76.107.220.54	6/01/2010 23:55	µTorrent 2.0.2.0
Doe 483	76.107.50.230	9/16/2010 04:22	µTorrent 2.0.0.0
Doe 484	76.111.221.241	8/30/2010 21:06	BitTorrent 7.0.0
Doe 485	76.111.87.132	6/20/2010 03:11	BitTornado 0.3.H
Doe 486	76.118.120.16	8/28/2010 08:02	Azureus 4.5.0.2
Doe 487	76.119.45.223	6/13/2010 08:56	Azureus 4.4.0.4
Doe 488	76.120.217.222	8/02/2010 22:18	µTorrent 2.0.2.0
Doe 489	76.120.94.142	8/11/2010 07:17	BitComet 0.1.0.7
Doe 490	76.122.201.37	8/20/2010 14:29	BitTorrent 6.4.0
Doe 491	76.122.8.24	6/11/2010 22:45	Unknown client
Doe 492	76.123.138.186	6/01/2010 23:56	Azureus 4.4.0.4
Doe 493	76.124.233.94	8/16/2010 03:14	Azureus 4.4.0.4
Doe 494	76.125.145.231	6/06/2010 19:12	µTorrent 2.0.2.0
Doe 495	76.125.195.175	6/20/2010 04:32	LimeWire 0.0.0.2
Doe 496	76.126.168.141	6/02/2010 10:21	Azureus 4.4.0.4
Doe 497	76.127.244.58	5/31/2010 02:43	µTorrent 2.0.2.0
Doe 498	76.127.250.45	7/17/2010 14:12	µTorrent 2.0.2.0
Doe 508	76.19.25.217	9/18/2010 19:36	Azureus 4.5.0.4
Doe 510	76.23.117.115	8/12/2010 00:21	Azureus 4.5.0.2
Doe 511	76.23.206.175	8/04/2010 01:56	µTorrent 2.0.2.0
Doe 512	76.24.35.104	6/14/2010 17:47	Azureus 4.4.0.4
Doe 513	76.24.66.202	9/18/2010 07:53	µTorrent 2.0.3.0
Doe 514	76.25.239.139	8/23/2010 20:30	Azureus 4.4.1.0
Doe 515	76.26.18.73	6/13/2010 12:15	BitTorrent 6.4.0
Doe 516	76.26.93.11	6/18/2010 13:53	BitTorrent 6.4.0
Doe 517	76.27.49.157	6/15/2010 08:01	Azureus 4.4.0.4
Doe 518	76.28.11.28	5/31/2010 02:29	µTorrent 2.0.2.0
Doe 519	76.28.153.176	6/05/2010 20:46	µTorrent 2.0.2.0
Doe 520	76.28.191.137	8/29/2010 15:17	µTorrent 2.0.4.0
Doe 521	76.30.169.204	6/01/2010 10:04	DelugeTorrent 0.9.2.0
Doe 522	76.31.117.235	8/12/2010 14:37	Azureus 4.4.0.4
Doe 523	76.31.243.149	6/03/2010 07:10	BitComet 0.1.2.0
Doe 536	76.97.153.227	8/06/2010 01:20	µTorrent 2.0.2.0
Doe 537	76.97.213.3	7/20/2010 03:59	µTorrent 2.0.2.0
Doe 538	76.99.136.144	7/01/2010 09:19	Azureus 4.4.0.4
Doe 539	76.99.33.96	6/23/2010 07:01	Azureus 4.4.0.4
Doe 600	98.192.168.229	6/10/2010 23:45	µTorrent 1.8.5.0
Doe 601	98.193.130.195	7/07/2010 06:05	Azureus 4.4.0.4
Doe 602	98.193.207.137	7/02/2010 10:44	µTorrent 2.0.2.0
Doe 603	98.196.241.27	7/19/2010 08:38	µTorrent 2.0.0.0
Doe 604	98.196.35.161	5/31/2010 13:36	µTorrent 2.0.2.0
Doe 606	98.200.58.97	7/28/2010 21:06	Azureus 4.4.0.4
Doe 607	98.200.60.131	8/14/2010 18:16	Azureus 4.4.0.6

Doe 608	98.202.176.226	6/13/2010 21:49	Azureus 4.4.0.4
Doe 609	98.207.104.188	7/11/2010 01:30	µTorrent 2.0.2.0
Doe 610	98.207.226.30	7/19/2010 12:48	Unknown client
Doe 611	98.208.105.96	6/23/2010 12:37	µTorrent 2.0.2.0
Doe 612	98.208.187.155	7/04/2010 09:33	µTorrent 2.0.0.0
Doe 613	98.208.69.219	8/30/2010 00:46	Azureus 4.5.0.2
Doe 614	98.209.228.115	8/02/2010 18:00	µTorrent 2.0.2.0
Doe 615	98.211.198.195	7/10/2010 04:08	µTorrent 2.0.2.0
Doe 616	98.211.228.44	8/11/2010 03:54	µTorrent 1.8.4.0
Doe 617	98.212.130.172	6/04/2010 07:47	µTorrent 1.8.3.0
Doe 618	98.213.56.26	6/05/2010 12:11	µTorrent 2.0.2.0
Doe 619	98.215.3.123	8/14/2010 03:51	µTorrent 2.0.3.0
Doe 620	98.219.0.194	6/16/2010 17:35	µTorrent 2.0.2.0
Doe 621	98.221.95.146	7/25/2010 15:40	µTorrent 2.0.2.0
Doe 622	98.223.2.227	8/03/2010 18:58	µTorrent 2.0.2.0
Doe 623	98.224.173.91	8/25/2010 21:21	µTorrent 2.0.2.0
Doe 624	98.224.21.182	8/27/2010 20:48	µTorrent 2.0.4.0
Doe 625	98.224.41.175	6/01/2010 20:41	µTorrent 2.0.2.0
Doe 626	98.224.45.238	6/23/2010 17:11	BitComet
Doe 627	98.224.9.193	6/01/2010 16:30	µTorrent 2.0.2.0
Doe 628	98.226.119.111	5/30/2010 17:32	BitTorrent 6.4.0
Doe 629	98.226.245.188	8/27/2010 17:43	BitTorrent 6.4.0
Doe 630	98.226.72.131	8/02/2010 07:34	Azureus 4.3.0.6
Doe 631	98.229.3.161	7/04/2010 10:44	Unknown client
Doe 632	98.230.99.228	6/01/2010 00:28	Azureus 4.3.1.4
Doe 633	98.231.3.227	6/12/2010 09:19	Azureus 4.4.0.4
Doe 634	98.232.222.233	6/18/2010 01:34	Transmission 1.3.4.0
Doe 635	98.232.67.64	7/18/2010 07:02	BitTorrent 6.4.0
Doe 636	98.233.176.43	6/09/2010 15:55	µTorrent 2.0.0.0
Doe 637	98.233.230.202	5/30/2010 22:06	µTorrent 2.0.2.0
Doe 638	98.233.233.129	9/02/2010 22:29	µTorrent 2.0.4.0
Doe 639	98.234.188.21	8/06/2010 14:34	µTorrent 2.0.2.0
Doe 640	98.235.159.164	9/10/2010 01:48	Azureus 4.5.0.2
Doe 641	98.235.22.192	6/06/2010 14:11	Azureus 4.4.0.4
Doe 642	98.237.134.16	5/31/2010 07:46	Azureus 4.4.0.4
Doe 643	98.237.137.112	7/05/2010 22:08	µTorrent 2.0.2.0
Doe 644	98.238.204.25	5/31/2010 01:42	Azureus 4.4.0.0
Doe 645	98.238.212.101	8/23/2010 06:46	µTorrent 2.0.3.0
Doe 646	98.239.139.252	7/06/2010 15:53	BitTorrent 6.3.0
Doe 647	98.239.190.43	9/17/2010 05:16	µTorrent 2.0.4.0
Doe 649	98.240.159.235	7/29/2010 05:11	µTorrent 2.0.2.0
Doe 650	98.240.45.103	6/28/2010 19:28	KTorrent 3.3.3.0
Doe 651	98.242.141.109	7/19/2010 05:50	BitTorrent 6.4.0
Doe 652	98.242.61.149	7/31/2010 23:14	BitTorrent 6.1.2
Doe 653	98.243.188.9	6/08/2010 02:12	µTorrent 2.0.2.0
Doe 654	98.244.118.38	6/24/2010 06:48	µTorrent 2.0.2.0
Doe 655	98.244.126.238	5/30/2010 20:23	µTorrent 2.0.2.0
Doe 656	98.244.6.67	6/02/2010 23:03	Azureus 4.4.0.4

Doe 657	98.245.71.143	9/20/2010 01:04	Azureus 4.5.0.2
Doe 658	98.246.178.196	7/29/2010 03:56	µTorrent 2.0.2.0
Doe 659	98.247.190.129	6/13/2010 19:43	Ares 4.0.0.0
Doe 660	98.247.83.21	8/12/2010 06:58	µTorrent 2.0.2.0
Doe 661	98.247.94.250	8/12/2010 19:28	µTorrent 2.0.3.0
Doe 662	98.248.123.103	6/07/2010 09:12	BitTorrent 6.4.0
Doe 663	98.248.63.225	6/09/2010 09:35	Azureus 4.2.0.8
Doe 664	98.248.85.64	6/13/2010 02:17	BitComet 0.1.2.0
Doe 665	98.249.25.249	7/24/2010 02:41	BitTorrent 6.4.0
Doe 666	98.251.113.24	7/04/2010 15:08	µTorrent 2.0.2.0
Doe 667	98.251.2.113	5/31/2010 07:27	BitComet 0.1.2.0
Doe 668	98.253.32.244	7/06/2010 04:12	µTorrent 2.0.2.0
Doe 669	98.254.35.40	9/19/2010 17:50	libtorrent 0.E.0.0

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICK HAIG PRODUCTIONS, E.K.,

Plaintiff,

v.

DOES 1-670,

Defendants.

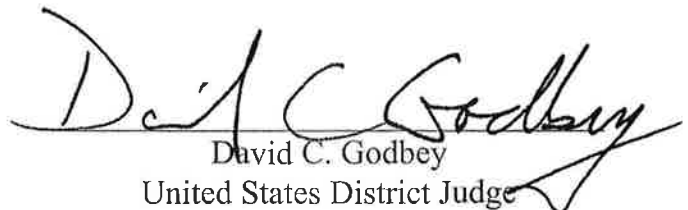
§
§
§
§
§
§
§
§
§

Civil Action No. 3:10-CV-1900-N

ORDER

This Order addresses matters related to Mick Haig Productions, E.K.'s, ("Mick Haig") motion for leave to take discovery prior to Rule 26(f) conference (the "Discovery Motion") [2]. The Court orders the internet service providers ("ISPs") listed in Exhibit A to this Order to preserve existing activity records for each Internet Protocol ("IP") address listed in Exhibit B to this Order pending resolution of the Discovery Motion. The ISPs are required to retain activity records only for the specific date and time logged for each IP address, and then only to the extent necessary to identify each Doe defendant's name, address, telephone number, e-mail address, and Media Access Control address. Plaintiff Mick Haig is directed to serve a copy of this Order on each affected ISP. The ISPs have thirty (30) days from the date of this Order to respond to the Discovery Motion, if they desire to do so.

Signed October 21, 2010.


David C. Godbey
United States District Judge

PUBLIC CITIZEN LITIGATION GROUP

1600 20TH STREET, N.W.
WASHINGTON, D.C. 20009-1001

(202) 588-1000

**BY EMAIL (evan@wolfe-stone.com and
lawoffice@wolfe-stone.com) AND
BY OVERNIGHT DELIVERY¹**

January 26, 2011

Evan Stone, Esquire
624 W. University Drive, #386
Denton, Texas 76201

Re: *Mick Haig Productions v. Does 1-670*
No. 3:10-CV-1900-N

Dear Mr. Stone:

As you know, pursuant to an order of the Court, I have been appointed along with co-counsel Matt Zimmerman and Corynne McSherry as temporary attorneys ad litem for the 670 individuals whom you have sued for, allegedly, making your client's pornographic movie, *Der Gute Onkle*, available for downloading, which you allege violates your client's copyright. After Judge Godbey appointed us as counsel, we filed an opposition to your motion for leave to take early discovery. As of this writing, there has not yet been any ruling on that motion, other than Judge Godbey's order requiring the Internet Service Providers (ISP's) through whom the 670 defendants gain their Internet access to preserve such identifying information as they have.

I was quite surprised, therefore, to receive from one of our Doe clients a notice from Comcast, telling him that you have subpoenaed his identifying information and that, unless he moved to quash by February 9, Comcast was going to supply you with his name and address. At the beginning of this week, I received similar calls from lawyers who reached out to me on behalf of other Does who received notices of subpoena from Verizon as well as Comcast. One of these lawyers is prepared to defend his client on the merits pro bono if you succeed in obtaining his identity and refile the case in New Jersey, where you have a valid claim for personal jurisdiction against that Doe. However, he recognizes that he cannot do this in Texas, where you have deliberately filed your complaint to put the Does to disadvantage and where he does not have pro bono local counsel.

Indeed, without revealing the privileged contents of my communications with these clients

¹Because of a snow emergency in DC, the overnight letter will be sent tomorrow.

Evan Stone, Esquire
January 26, 2011
page 2

and/or their representatives, the experience of talking with them simply confirmed the concern expressed on our brief that Does are likely to be terrified about the possibility that they could be publicly but falsely identified as being involved with the type of product that you client creates, regardless of whether they actually did so. It is precisely this potential for embarrassment on which you have preyed to get accused defendants to pay you thousands of dollars in settlement.

Inquiring further, I was able to obtain a copy of the subpoena that you sent to Comcast and of your cover letter, which concealed from Comcast the fact that Judge Godbey had never granted you permission to serve subpoenas in the case. Inquiring still further of other major ISP's, we have learned that you have served other subpoenas in the case, that the date required by one of the notices of subpoena for a response to avoid identification is January 31, and that some ISP's have provided you with identifying information.

We are very disturbed by this information. Because the rules of procedure do not allow you to take discovery at this phase of the lawsuit without express judicial permission, the subpoenas that you have issued to the ISP's that we have been able to contact to date essentially misrepresented that discovery was open in the case, and gave you access to information to which you are not entitled. It is, as well, arguably a serious abuse of process that may be independently actionable. Given the fact that your standard practice is to send settlement demand letters to Does once they are identified, we must acknowledge the possibility that you have been communicating with our clients. Yet, because those clients are represented by counsel (until the disposition of the discovery motion), your contacting them directly would be a serious violation of legal ethics, because we have never given you permission to contact our clients.

Moreover, you should be aware from our opposition to your motion for leave to take early discovery that we are making a claim of First Amendment privilege with respect to any information that might lead to the disclosure of our clients' identities, including but not limited to names, mailing addresses, telephone numbers, credit card account information, or IP addresses. However, because you have gone forward despite this claim, by this letter I am re-notifying you of the claim of privilege pursuant to Rules 26(b)(5)(B) and 45(d)(2)(B) of the Federal Rules of Civil Procedure. Both rules provide in relevant part as follows:

After being notified [of a claim of privilege], a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim.

We trust that you and your client will comply promptly and fully with these obligations. Please inform any relevant third parties of our claim and request that they refrain from making any disclosures of identifying information until the claim is resolved.

Evan Stone, Esquire
January 26, 2011
page 3

I have called you twice to try to confer with you about this violation of our clients' rights, but got only your voicemail. Only your "assistant" has called back, and she told me that I could not speak to you personally. I should much prefer to speak with you personally about this problem, but until you are available in person this letter will have to do.

We intend to seek relief from the Court for your abuse of the discovery procedure, but to decide what remedies are appropriate, we need more information. We need copies of every subpoena that you have issued in the case, along with the cover letters to ISP's, and copies of any other written communications with ISP's; if you have had oral communications with ISP's in the case, we need a complete list of those communications. In addition, if any ISP's have produced information, we need copies of their production. If you have had any written or oral communications with any of the Does, we need a complete accounting of all of those communications. And if any of our clients have made any payments to you, we need to know how much each has paid, because at the very least we are going to ask the Court to order that those payments be refunded. I hope you will agree to withdraw the subpoenas and to provide the information above immediately; otherwise, we intend to ask the Court to order you to provide it.

Given the imminent deadline created by your illegitimate subpoenas, we need answers to these questions immediately, because we feel we need to move promptly for a ruling from Judge Godbey. We intend to ask Judge Godbey to order you to provide a sworn accounting of your actions as described above. And, in the meantime, we have in mind to ask the Court to order you to contact every ISP to whom you have sent a subpoena in this case to tell them that the subpoenas have been withdrawn, to order you to cease making use of any identifying information you have received, and to stop communicating with our clients unless we give you permission to do so or pending further order of the Court.

Please contact me immediately to tell me whether you will promptly withdraw the subpoenas, provide the information requested, and consent to this proposed order.

Sincerely yours,


Paul Alan Levy

From: evan stone <evan@wolfe-stone.com>
To: Paul Levy <plevy@citizen.org>
Date: 1/29/2011 3:28:05 PM
Subject: Re: Mick Haig v Does

Your hubris never ceases to amaze me, Paul. I realize you have to zealously defend "your clients" even when they are not the clients you've chosen, but taking up the mantle of defending BitTorrent pirates in the same fashion as your more traditional clients denigrates all the former work you've done defending actual speech. What's more, your demonization of me is completely unfounded.

I thought you would have realized this when I let one of your previous clients off on your word alone. He, like many others in my cases, have gotten a free pass or nearly free pass at minimal effort. Many simply send in a sworn affidavit. I routinely drop my claims against active duty servicemen, the disabled, the elderly and the seemingly computer illiterate. It's all about communication, but you aren't even willing to let that occur.

I'm not an unreasonable attorney, Paul, and I have the lowest demands of anyone involved in similar litigation. I'm not exploiting people for profit. I'm not preying upon a person's potential sense of embarrassment over what content they pirate. I'm merely taking a stand against the most egregious form of online piracy to have ever existed: BitTorrent piracy.

What's more, your misappropriation of the "patent troll" concept is growing ever more tiresome. If I were representing copyright holders who hid their creations in a desk drawer until someone created a substantially similar work, then yes, I would be a copyright troll. But that's not the case, here. Unlike real IP trolls, I represent clients who are **actively** trying to market their content in the face of rampant piracy.

How can you expect to have a reasonable conversation with me after all these personal attacks?

It's hardly in your clients' best interests to pursue sanctions against me at this point, but I'm sure you'll do it anyway since this has become so personal for you. Either way, you're not going to stop my clients from seeking justice so long as their content is being pirated. If you honestly care about intellectual property rights and honestly want this type of litigation to stop, you should be doing more to stop the piracy itself.

Levy Affidavit
Exhibit 4

Regards,
Evan Stone
The Law Offices of Evan Stone
469-248-5238

CONFIDENTIALITY NOTICE:

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

On Fri, Jan 28, 2011 at 8:35 PM, Paul Levy <plevy@citizen.org> wrote:

> Your filing today was a good first step, but I trust you are aware that
> voluntary dismissal does not deprive a district court of jurisdiction to
> consider whether sanctions are appropriate. We will not be seeking attorney
> fees, so there is no safe harbor provision applicable here.
>
> Before we file, we need answers to the questions I posed in my letter. We
> will need them under oath.
>
> I look forward to discussing the situation with you at the beginning of
> next week.
>
> Paul Alan Levy
> Public Citizen Litigation Group
> 1600 - 20th Street, N.W.
> Washington, D.C. 20009
> (202) 588-1000
> <http://www.citizen.org/litigation>
>

CC: <justin@wolfe-stone.com>, Corynne McSherry
<corynne@eff.org>, Matt Zimmerman <mattz@eff.org>

December 30, 2010

READ AT ONCE

**COURT-DIRECTED NOTICE
REGARDING ISSUANCE OF SUBPOENA
SEEKING DISCLOSURE OF YOUR IDENTITY**

Verizon Online, as your Internet Service Provider, recently received a legal document called a subpoena. Absent action by you, the subpoena requires us to disclose your name, address and other information. The subpoena was issued pursuant to a Court Order in a lawsuit pending in the United States District Court for the Northern District of Texas.

The Plaintiffs have filed a lawsuit alleging that various people have perhaps infringed their copyrights by illegally downloading and/or distributing a movie. However, the Plaintiffs do not know the actual names or addresses of these people – only the Internet Protocol address ("IP address") of the computer associated with the allegedly illegal activity.

Accordingly, Plaintiffs have filed lawsuits against so-called anonymous "John Doe" defendants and issued subpoenas to determine the identity of these people (the so-called "John Does." The Plaintiffs have asked us to disclose your identification information to them, including your name, current (and permanent) addresses, and your email address and Media Access Control number. Enclosed is a copy of the subpoena seeking your information and the exhibit page containing the IP address that has been associated with your computer and showing the date and time you are alleged to have used the Internet to download or upload the particular movie. (The plaintiffs will have to prove that you illegally used the internet to download or upload the particular movie. We do not have records that would prove or disprove that fact; we simply have records that show that an IP address was assigned to a specific customer at a specific time. It may be that someone else, for a variety of reasons, was using the IP address).

This is a civil lawsuit, not a criminal case. You have not been charged with any crime. If the Plaintiffs receive your information from your Internet Service Provider, you will likely be added as a named defendant to their lawsuit.

**INFORMATION ABOUT YOU HAS NOT YET BEEN DISCLOSED,
BUT IT WILL BE DISCLOSED IN 30 DAYS IF YOU DO NOT
CHALLENGE THE SUBPOENA.**

Your identifying information has not yet been disclosed to the Plaintiffs.

This notice is intended to inform you of some of your rights and options. It does not provide legal advice. We cannot advise you about what grounds exist, if any, to challenge this subpoena. If you would like legal advice you should consult an attorney. Within this notice you will find a list of resources that may help you locate an attorney and decide how to respond to the subpoena or lawsuit.

If you want to prevent being identified, you have 30 days from the date of this notice to file a motion to quash or vacate the subpoena and notify Verizon Online that you have done so. You must also notify your ISP. If you need more than 30 days to file such a motion or find a lawyer to assist you, you can file a motion asking for an extension of time; you should notify

**Levy Affidavit
Exhibit 5**

Verizon Online if you file a motion asking for more time. The appropriate address to send such notices to Verizon is:

Verizon Legal Compliance
Custodian of Records
P.O. Box 1001
San Angelo, TX 76902

Fax Number: 325-949-6916

If you provide us with notice that you filed a motion to quash the subpoena, your identity will not be disclosed until the court makes a decision on your motion. If you do nothing, then after 30 days we are compelled to send the Plaintiff your name, address, email address, telephone number, and your modem's Media Access Control number.

You may wish to obtain an attorney to advise you on these issues or to help you take action.

To help you find a lawyer, the American Bar Association's attorney locator can be found on the Internet at <http://www.abanet.org/lawyerlocator/searchlawyer.html>

The Electronic Frontier Foundation is an organization that seeks to protect the rights of Internet users. They have created a website that lists attorneys who have volunteered to consult with people in your situation and contains further information about the lawsuit that has been filed against you as well as similar lawsuits:

<https://www EFF.org/issues/file-sharing/subpoena-defense>

If you are interested in discussing this matter with the Plaintiff's attorneys, you may contact them by telephone at (469)-248-5238, by email at lawoffice@wolf-stone.com. But please understand that these lawyers represent the company that is trying to sue you. They can speak with you about settling the lawsuit, if you wish to consider that. At the same time, you must be aware that if you contact them they may learn your identity, and that anything you say to them can later be used against you in court.

You should not call the Court.

Again, you may wish to retain an attorney to discuss these issues and your options.

Issued by the
UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

Texas

Mick Haig Productions, c.K.

SUBPOENA IN A CIVIL CASE

V.

DOES 1 - 670

Case Number:¹ 3:10-cv-01900-N

TO: Verizon Legal Compliance, TXD01613
 P.O. Box 1001
 San Angelo, TX 76902
 Fax: 325-949-6916

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

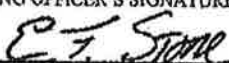
Information, including name, addresses, telephone numbers, e-mail address and Media Control Addresses, sufficient to identify and contact all persons whose IP addresses are included in the attached spreadsheet. Note that I am happy to provide this list in whatever format is most convenient for you.

PLACE	DATE AND TIME
Evan Stone, Esq. 624 W. University Dr., #386, Denton, TX 76201	12/1/2010

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Counsel for Plaintiff	10/22/10

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Evan Stone,
 624. W. University Dr., #386, Denton, TX 76201

lawoffice@wolfe-stone.com
 469-248-5238

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number.